

SEYFARTH SHAW LLP
Kenneth D. Sulzer (State Bar No. 120253)
Andrew M. Paley (State Bar No. 149699)
Sheryl L. Skibbe (State Bar No. 199441)
Regina A. Musolino (State Bar No. 198872)
2029 Century Park East, Suite 3300
Los Angeles, California 90067-3063
Telephone: (310) 277-7200
Facsimile: (310) 201-5219
Email: ksulzer@seyfarth.com; apaley@seyfarth.com
sskibbe@seyfarth.com;

Attorneys for Defendants
DE LOITTE & TOUCHE LLP
DELOITTE TAX LLP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES BRADY, TRAVIS CALL,
SARAH CAVANAGH, JULIA
LONGENECKER, PEDRO NOYOLA
and CHRISTOPHER SULIT,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

DELOITTE & TOUCHE LLP, a limited
liability partnership; DELOITTE TAX
LLP; and DOES 1-10, inclusive,

Defendants.

Case No. C-08-00177 SI

The Honorable Susan Illston

**NOTICE OF PENDENCY OF
OTHER ACTIONS**

[LOCAL RULE 3-13]

TO THE COURT, PLAINTIFFS, AND COUNSEL OF RECORD:

Pursuant to Local Rule 3-13, Defendants Deloitte & Touche, LLP and Deloitte Tax, LLP ("Defendants") hereby notify the Court of the following action now pending before the United States District Court for the Central District of California that involves all or a material part of the same subject matter and all or substantially all of the same parties:

1 Name of the Action

2 *Stepan Mekhitarian v. Deloitte & Touche, (ICS) LLC and Deloitte Tax, LLP*

3 Posture:

4 The *Mekhitarian* action is currently pending in the United States District
5 Court for the Central District of California as Case No. CV-07-00412-DSF
6 (MAN). The *Mekhitarian* Complaint was filed on December 13, 2006. The action
7 has been assigned to the Honorable Dale S. Fischer. The case was originally filed
8 in the Los Angeles Superior Court and was removed to the Central District on
9 January 17, 2007.

10 Parties:

11 Plaintiff Stepan Mekhitarian; Defendants Deloitte & Touche LLP and
12 Deloitte Tax LLP. Deloitte & Touche, (ICS) LLC was dismissed from the action
13 and Deloitte & Touche LLP was added as a defendant.

14 Counsel:

15 Counsel for Plaintiff: William Harris, Matthew Kaufman, Harris &
16 Kaufman, 15260 Ventura Blvd., Suite 2250, Sherman Oaks, CA 91403 (818) 990-
17 1966; Armond Marcarian, Marcarian Law Firm, 15260 Ventura Blvd., Suite 2250,
18 Sherman Oaks, CA 91403. Telephone: (858) 551-1223.

19 Counsel for Defendants: Andrew Paley, Seyfarth Shaw LLP, 2029 Century
20 Park East, Suite 3300, Los Angeles, CA 90067. Telephone: (310) 277-7200.

21 Description of the Other Action:

22 The factual allegations and legal issues in *Mekhitarian* are the same or
23 substantially overlap those in the instant case. The *Mekhitarian* Complaint alleges
24 that Defendants misclassified Tax Associates and Tax Seniors as exempt
25 employees and failed to pay overtime wages to a putative state-wide class of tax
26 professionals employed by Defendants. Plaintiff also asserts claims for violations
27
28

1 of California Labor Code section 203 and for violations of California Business and
2 Professions Code section 17200.

3 Transfer Should Be Affected Pursuant to 28 U.S.C. § 1404

4 *Brady* and *Mekhitarian* both allege claims for unpaid overtime and waiting
5 time penalties based on the alleged misclassification of the same or substantially
6 all of the same putative class of current and former employees. In the interests of
7 judicial economy, Defendants request that the *Brady* action be transferred to the
8 Central District and related to the *Mekhitarian* action before Judge Fischer.

9
10 DATE: April 25, 2008

SEYFARTH SHAW LLP

11
12 By 

13 Sheryl L. Skibbe

14 Attorneys for Defendants

DELOITTE & TOUCHE, LLP AND DELOITTE
15 TAX, LLP
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